

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-Eighth Legislature
State of Maine

Daily Edition

Second Regular Session

beginning January 3, 2018

beginning at page H-1216

The Following Communication: (H.C. 496)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

April 9, 2018

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1795, "An Act To Amend the Maine Criminal Code and Related Statutes as Recommended by the Criminal Law Advisory Commission."

Under federal law, marijuana is a Schedule 1 controlled substance. As a Schedule 1 drug, the federal government has deemed that marijuana has a high potential for abuse and has no currently accepted medical use in treatment in the United States. In Maine, doctors cannot legally prescribe marijuana to patients, they only "certify" its use. Possession of any amount of marijuana under federal law is a misdemeanor crime. In 2011, I took an oath to support the Constitution of the United States, and I cannot in good conscience support a law that, on its face, violates federal law.

For these reasons, I return LD 1795 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

READ and ORDERED PLACED ON FILE. Sent for concurrence.

The accompanying item An Act To Amend the Maine Criminal Code and Related Statutes as Recommended by the Criminal Law Advisory Commission (EMERGENCY)

(H.P. 1239) (L.D. 1795)

(C. "A" H-650)

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 582V

YEA - Ackley, Alley, Austin B, Babbidge, Bailey, Bates, Battle, Beebe-Center, Berry, Bickford, Blume, Bradstreet, Brooks, Bryant, Cardone, Casas, Chace, Chapman, Collings, Cooper, Corey, Daughtry, DeChant, Denno, Devin, Doore, Duchesne, Dunphy, Farnsworth, Fay, Fecteau, Foley, Frey, Fuller, Gattine, Gerrish, Gillway, Golden, Grant, Grohman, Hamann, Handy, Harlow, Harrington, Hawke, Herbig, Herrick, Hickman, Higgins, Hilliard, Hogan, Hubbell, Hymanson, Jorgensen, Kinney J, Kornfield, Kumiega, Lawrence, Longstaff, Luchini, Madigan C, Madigan J, Malaby, Marean, Martin J, Martin R, Mastraccio, McCrea, McCreight, McElwee, McLean, Melaragno, Monaghan, Moonen, Nadeau, O'Connor, O'Neil, Parker, Parry, Perry, Pickett, Pierce J, Pierce T, Pouliot, Reckitt, Riley, Rykerson, Sampson, Sanborn, Schneck, Seavey, Sheats, Simmons, Spear, Stanley, Stearns, Sylvester, Talbot Ross, Tepler, Terry, Tipping, Tucker, Vachon, Wadsworth, Warren, Zeigler, Madam Speaker.

NAY - Austin S, Black, Campbell, Craig, Dillingham, Espling, Farrin, Fredette, Ginzler, Grignon, Haggan, Hanington, Hanley, Head, Johansen, Kinney M, Lockman,

Lyford, Mason, Ordway, Perkins, Picchiotti, Prescott, Reed, Sanderson, Sirocki, Skolfield, Stetkis, Stewart, Strom, Sutton, Theriault, Timberlake, Tuell, Turner, Wallace, Ward, White, Winsor, Wood.

ABSENT - Cebra, Guerin, Harvell, Sherman.

Yes, 107; No, 40; Absent, 4; Excused, 0.

107 having voted in the affirmative and 40 voted in the negative, with 4 being absent, and accordingly the Veto was **NOT SUSTAINED.** Sent for concurrence.

The Following Communication: (S.C. 974)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

April 6, 2018

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1735, "An Act To Authorize Regional Medical Control Committees to Have Access to Maine Emergency Medical Services Data for Purposes of Quality Improvement."

Under current law, data collected by Maine Emergency Medical Services allows identifying information of persons receiving emergency medical treatment to be released for purposes of research, public health surveillance and linkage with patient electronic medical records. Prior to any release of data, the Director of Emergency Medical Services, the Medical Direction and Practices Board, and the Emergency Medical Services Board must review the data and approve the release of the data. These are essential safeguards to prevent the release of confidential patient information from entering the public domain.

This bill strips away the three-step approval process under current law. Maine Emergency Medical Services would have no way of ensuring that protected, private, patient information would continue to be protected and private. I am very concerned that without adequate safeguards, confidential patient information will be released into the public domain.

For these reasons, I return LD 1735 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage

Governor

Came from the Senate, **READ and ORDERED PLACED ON FILE.**

READ and ORDERED PLACED ON FILE in concurrence.

The accompanying item An Act To Authorize Regional Medical Control Committees To Have Access to Maine Emergency Medical Services Data for Purposes of Quality Improvement (EMERGENCY)

(S.P. 634) (L.D. 1735)

(S. "A" S-384 to C. "A" S-383)

In Senate, April 9, 2018, this Bill, having been returned by the Governor, together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: 'Shall this Bill become a law notwithstanding the objections of the Governor?'